

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MAGNA MIRRORS OF AMERICA, INC.,

Plaintiff,

CASE NO. 09-14470

HON. MARIANNE O. BATTANI

v.

SAMVARDHANA MOTHERSON VISIOCORP,
SOLUTIONS LIMITED, et al.,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS FOR FAILURE
TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED OR IN
THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT PURSUANT
TO FEDERAL RULES OF CIVIL PROCEDURE 12(b)(6) AND 12(e)
AND DENYING PLAINTIFF'S MOTION FOR RULE 11 SANCTIONS**

Now before the Court is Defendants SMR Automotive Systems USA Inc., SMR Automotive Mirror Services UK Limited, SMR Automotive Mirrors UK Limited, SMR Automotive Mirror Parts and Holdings UK Limited, and SMR Automotive Taree Pty. Limited's Motion to Dismiss for Failure to state a Claim Upon Which Relief May be Granted or, in the Alternative, For a More Definite Statement Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(e) (Doc. No. 10), and Plaintiff Magna Mirrors of America, Inc.'s Motion for Rule 11 Sanctions Against Defense Counsel in Connection with the Improper Filing of a Motion to Dismiss (Doc. No. 35). The Court heard oral argument on March 3, 2010, and for the reasons stated on the record, the Court **DENIES** both motions.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

Date: March 4, 2010

CERTIFICATE OF SERVICE

Copies of this Order were mailed and/or electronically filed to counsel of record on this date.

s/Bernadette M. Thebolt
Case Manager